

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture Development of Dominant Carrier Networks.	Rulemaking 93-04-003
Investigation on the Commission's Own Motion Into Open Access and Network Architecture Development of Dominant Carrier Networks.	Rulemaking 93-04-002
Order Instituting Rulemaking on the Commission's Own Motion Into Competition for Local Exchange Service.	Rulemaking 95-04-043
Order Instituting Investigation on the Commission's Own Motion Into Competition for Local Exchange Service.	Investigation 95-04-044

ASSIGNED COMMISSIONER'S RULING ESTABLISHING AN EX PARTE COMMUNICATIONS BAN IN THE SECTION 271 PROCEEDING

With the conclusion of these oral arguments on Public Utilities Code Section 709.2, and the submission of this formal proceeding, I believe now is the appropriate time to establish, pursuant to Rule 1.6 of Commission's Rules of Practice and Procedure (Rules), a ban on any and all ex parte communications in the above-titled matter, also known as the Section 271 proceeding. Parties are

advised that the ex parte rules (including the definition of “party” and “decisionmaker”) are found in Article 1.5 of the Rules. As defined in Rule 1.1(g) of the Rules:

“[e]x parte communication’ means a written or oral communication on any substantive issue in a covered proceeding, between a party and a decisionmaker, off the record and without opportunity for all parties to participate in the communication.”

Accordingly, **IT IS RULED** that pursuant to Commission Rule 1.6, any and all ex parte communications with Commission decisionmakers regarding the Section 271 proceeding are prohibited, consistent with Article 1.5 of the Commission’s Rules.

Dated December 5, 2001, at San Francisco, California.

/s/ GEOFFREY BROWN

Geoffrey Brown
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Ruling Establishing an Ex Parte Communications Ban in the Section 271 Proceeding on all parties of record in this proceeding or their attorneys of record.

Dated December 5, 2001, at San Francisco, California.

/s/ ANTONINA V. SWANSEN
Antonina V. Swansen

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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